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Attorneys for Defendants iFIT, INC. (f/k/a ICON Health & Fitness, Inc.) and COSTCO
WHOLESALE CORPORATION (erroneously sued as LIVERMORE COSTCO #146)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (OAKLAND)

THOMAS SIMPSON AND SUE SIMPSON,

Plaintiffs,

vs.

ICON HEALTH & FITNESS, INC.; IFIT,
INC.; NORDIC TRACK; LIVERMORE
COSTCO #146 and DOES 1 through 100, inc.,

Defendants.

CASE NO.: 4:24-cv-08707-HSG

**STIPULATION OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE;
ORDER**

Pursuant to *Federal Rule of Civil Procedure* 41(a)(1)(A)(ii), Plaintiffs THOMAS SIMPSON and SUE SIMPSON, and Defendant iFIT, INC. (f/k/a ICON HEALTH & FITNESS, INC.) and COSTCO WHOLESALE CORPORATION (erroneously sued as LIVERMORE COSTCO #146), through their undersigned counsel, hereby stipulate and agree that defendant NORDICTRACK, INC. (erroneously sued as NORDIC TRACK) should be dismissed without prejudice, each party to bear its own attorneys' fees, experts' fees, and costs.

DATED: September 26, 2025

LAW OFFICE OF BRYMAN & APELIAN

By: s/ Andrew C. Bryman

Andrew C. Bryman

Brendon Norton

Attorneys for Plaintiffs, THOMAS SIMPSON and
SUE SIMPSON

Dated: September 26, 2025

VAN ETEN SIPPRELLE LLP

By: s/ David B. Van Etten

David B. Van Etten


Keith A. Sipprelle

Attorneys for Defendants, iFIT, INC. (f/k/a
ICON HEALTH & FITNESS, INC.) and
COSTCO WHOLESALE CORPORATION
(erroneously sued as LIVERMORE COSTCO
#146

ORDER

Pursuant to the Stipulation of the Parties, IT IS SO ORDERED.

DATED: 9/30/2025


Hon. Haywood S. Gilliam, Jr.
United States District Court Judge